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MERCHANT & GOULD (MICROSOFT)			EXAMINER	
P.O. BOX 2903			DESAI, RACHNA SINGH	
MINNEAPOLIS, MN 55402-0903				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/822,312

Applicant(s)

HENNING ET AL.

Examiner

RACHNA S. DESAI

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 8, 9, 12-15 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-9, 12-15, and 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to: A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/29/08 has been entered.
2. Claims 1-3, 8-9, 12-15, and 18-24 are currently pending in the case, with claims 1, 12, and 18 being the independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Astiz, et al. (U.S. Patent 6,035,330, issued March 7, 2000) [hereinafter "Astiz"].**

Regarding **independent claim 12, as amended**, Astiz teaches:

A computer-implemented method for tracking and diagramming navigated portions of a web site, comprising: (see abstract, column 4, lines 56-67 and columns 5-6)

displaying a diagram of a structure of a selected web site, the diagram including diagram nodes for the selected web site and for any web links associated with the selected web site, wherein the diagram of the structure is generated and displayed on a web site diagramming application of a client; (see abstract, column 5, lines 58-67 and column 6, lines 1-20)

receiving a selection of a first web link from the diagram of the web site diagramming application of the client; (see column 11, lines 50-58 where Astiz talks about viewing a navigational map from a database by allowing a user to select a web site without accessing the Internet. See also column 7, lines 23-24 and 65-67 through column 8, lines 1-5 where Astiz states the map maker could be implemented at a workstation or PC separate from the user. . .however, in this embodiment, both the map maker and the viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).

in response to the selection of the first web link in the diagram, causing a browser to open the first web link within a user interface of the web-site diagramming application of the client, wherein the user interface of the web-site diagramming application of the client includes an expand target selector; (see column 11, lines 25-67 and column 12, lines 1-14 where Astiz teaches a browser

opens the HTML home page file. See figure 6 which displays an expand selector.)

determining whether an expand target indicator is actuated in association with the first web link; (see figure 6, "expand" actuator)

when the expand target selector is not actuated in association with the first web link, automatically updating the displayed diagram on the web site diagramming application of the client to add a diagram node for the selected second web link whereby the diagram node for the selected second web link is added to the diagram in a position illustrating a relationship of the selected second web link to other nodes in the diagram.

(See, Astiz, figure 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching mapping and updating the map. Astiz discloses an "expand" actuator in figure 6. In figure 6, if the "expand actuator" is selected, the link corresponding to a page is opened or expanded. Astiz teaches a feature of the present invention is exclusion of certain types of information including certain branches, certain types of files, redundant links, directories that should not be released to the general public, and certain links which require external viewers or might clutter up the map. Therefore, the expand actuator allows certain branches or files within the hierarchy to be collapsed or expanded. In Astiz when the expand actuator is not selected for a web link, the subordinate links are not shown. See figure 6 and column 10, lines 1-14.)

when the expand target selector is actuated in association with the first web link, automatically updating the displayed diagram on the web site diagramming application of the client to add a diagram node for web links associated with the first web link whereby the diagram nodes are added to the diagram in positions illustrating relationships to other nodes in the diagram, wherein other web links associated with the first web link are not added to the diagram.

(See, Astiz, figure 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching mapping and updating the map. Astiz discloses an "expand" actuator in figure 6. In figure 6, if the "expand actuator" is selected, the link corresponding to a page is opened or expanded. Astiz teaches a feature of the present invention is exclusion of certain types of information including certain branches, certain types of files, redundant links, directories that should not be released to the general public, and certain links which require external viewers or might clutter up the map. Therefore, the expand actuator allows certain branches or files within the hierarchy to be collapsed or expanded. In Astiz when the expand actuator is not selected for a web link, the subordinate links are not shown. See figure 6 and column 10, lines 1-14.)

It is noted that diagramming during navigation of is expressly part of the Astiz invention. See, Astiz, col. 10, lines 50-58, teaching that if a user is following a link and is directed to a web site that is not on the web site map, the user is "prompted to indicate whether he wants the map maker to create a map in real time for that web site."

See also, Astiz, col. 11, lines 26-58, similarly teaching mapping in real time.

Astiz specifically teaches to parse and map the entire web sites requested, and to display the results. There is no limitation on the parsing and mapping functions. The mapping stop when the cite "requires a user interaction."

It is further noted that access to each of the hyperlinks that are parsed and mapped would have been dependent on "user interaction" if the page on which the hyperlink appeared were being viewed by a user. In other words, if a user was browsing a web site, without use of the mapping invention, each hyperlink would have to be clicked on separately to access the linked data. By use of the invention of Astiz, the clicking on the hyperlinks is automatic during the mapping process and the results are displayed in the map. See, Astiz, col. 7, line 9 through col. 13, line 31, teaching the map maker. See also, claim 25, teaching that the map outline is an unrestricted outline of the hierarchy of files, further indicating no limitations.

Examiner note: amended portions reciting a web site diagramming application of the client are met by column 7, lines 23-24 and 65-67 through column 8, lines 1-5 where Astiz states the map maker could be implemented at a workstation or PC separate from the user. . .however, in this embodiment, both the map maker and the viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).

Regarding **dependent claim 13, as amended**, Astiz teaches:

The method of claim 12, further comprising:

in response to receiving a selection of the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing links from the selected web site associated with the selected first web link;

wherein receiving a selection of the second web link includes receiving an indication of a user browsing to the second web link from the displayed web page.

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating subordinate web sites.)

Regarding **dependent claim 14, as amended**, Astiz teaches:

The method of claim 13, whereby receiving an indication of a user browsing to a second web link from the displayed web page requires user interaction with the web browser control for browsing to the second web link.

(See, Astiz, col. 12, lines 15-36, teaching user interaction to browse to a second link.)

Regarding **dependent claim 15, as amended**, Astiz teaches:

The method of claim 13, further comprising automatically finding and mapping to the web diagram data structure web links not requiring user interaction found in response to browsing to the second web link from the displayed web page.

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Claims Rejection – 35 U.S.C. 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-3, 8-9, and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astiz, et al. (U.S. Patent 6,035,330, issued March 7, 2000) [hereinafter “Astiz”].**

Regarding independent 1, Astiz discloses a navigational mapping system and method which meets the preamble, ***a computer-implemented method for tracking and diagramming navigated portions of a web site***. See abstract.

Astiz discloses receiving a selected web site on a map viewer on a user's computer which meets the limitation, ***receiving a selected web site on a web site diagramming application of a client***. See figure 9 and column 7, lines 23-60. See also column 7, lines 23-24 and 65-67 through column 8, lines 1-5 where Astiz states the map maker could be implemented at a workstation or PC separate from the user. .

.however, in this embodiment, both the map maker and the viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).

Astiz discloses parsing the web site for files/links that are part of the website until a map boundary parameter is reached by the map maker which meets the limitation, **on the web site diagramming application, automatically parsing the selected web site for web links subordinate to the selected web site, wherein the selected web site does not require user interaction to identify the web links subordinate to the selected web site, wherein parsing the selected web site includes at least one member of a group comprising: automatically parsing the web site to a specified maximum number of links and automatically parsing the web site to a specified maximum number of discovery levels.** See column 11, lines 26-67, column 12, lines 15-62, column 13, lines 34-67. See also figures 3 and 10. See also column 7, lines 23-24 and 65-67 through column 8, lines 1-5 where Astiz states the map maker could be implemented at a workstation or PC separate from the user. .however, in this embodiment, both the map maker and the viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).

Astiz discloses mapping the selected site and the parsed links to the map viewer which meets the limitation, **on the web site diagramming application, mapping the selected web site and parsed web links to a web diagram data structure.** See abstract and columns 7-8. See also column 7, lines 23-24 and 65-67 through column 8, lines 1-5 where Astiz states the map maker could be implemented at a workstation or PC separate from the user. .however, in this embodiment, both the map maker and the

viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).

Astiz discloses a user can select an HTML page on the map upon which the browser retrieves the HTML page which meets the limitation, ***receiving a selection of a first web link in the web diagram data structure of the web site diagramming application to cause a browser to obtain a web page associated with the first web link from a server, wherein the web page associated with the first web link is displayed in a user interface of the web-site diagramming application.*** See column 12, lines 62-67 and column 13. Astiz teaches parsing up to a specified boundary parameter, thus if the parameter is set to first children of the web site then ***the web links subordinate to the first web link are not mapped to the web diagram data structure of the web site diagramming application of the client.*** See column 12. Astiz further teaches in the course of browsing, a user can select a web site for viewing from a diagramming application or map. When the user selects a particular page entry, the browser uses the URL corresponding to the selected page entry and retrieves it and displays it which meets the amended portion, ***wherein the web page associated with the first web link is displayed in a user interface of the web-site diagramming application.*** See column 11, lines 26-50.

Astiz further teaches ***wherein the first web link is subordinate to the selected web site, wherein the first web link requires user interaction within the web page to identify web links subordinate to the first web link, wherein the web links subordinate to the first web link are not mapped to the web diagram data***

structure of the web site diagramming application of the client. Astiz teaches the first web link is subordinate to a website in columns 11-12. Astiz teaches parameters defining the map boundary are determined before the mapper begins its mapping. In other words if a user specifies the mapping should not go beyond the pages that are part of the web site, then the mapping will not go beyond that page. Similarly a user might set the parameters to not go beyond the first page of the website which meets the limitation, **wherein the first web link requires user interaction within the web page to identify web links subordinate to the first web link, wherein the web links subordinate to the first web link are not mapped to the web diagram data structure of the web site diagramming application of the client.** See column 12, lines 1-62.

Astiz discloses and expand actuator which meets the portion of the limitation, **wherein the user interface of the website diagramming application includes an expand target selector.** See figure 6, "expand" actuator.

Astiz teaches a user browses through various web pages stemming from the first web link which meets the limitation, **receiving an interaction with a second web link within the obtained web page of the first link, wherein the second web link is subordinate to the first web link.** See column 12, last paragraph and column 13, lines 1-5.

Astiz teaches retrieving the selected web page from the server which meets the limitation, **obtaining a web page associated with the second web link from the server.** See column 12.

Astiz discloses an expand target selection in figure 6. Astiz teaches, ***determining whether the expand target selector of the web page associated with the first web link is selected.*** In figure 6, if the "expand actuator" is selected, the link corresponding to a page is opened or expanded. Astiz teaches a feature of the present invention is exclusion of certain types of information including certain branches, certain types of files, redundant links, directories that should not be released to the general public, and certain links which require external viewers or might clutter up the map. Therefore, the expand actuator allows certain branches or files within the hierarchy to be collapsed or expanded which meets the limitation, ***when the expand target selector is selected, mapping the second web link and links subordinate to the web diagram data structure of the web site diagramming application of the client;*** In Astiz when the expand actuator is not selected for a web link, the subordinate links are not shown which meets the limitation, ***when the expand target selector is not selected, mapping the second web link without links subordinate to the second web link to the web diagram data structure of the web site diagramming application of the client.*** See figure 6 and column 10, lines 1-14.

It is noted that diagramming during navigation is expressly part of the Astiz invention. See, Astiz, col. 10, lines 50-58, teaching that if a user is following a link and is directed to a web site that is not on the web site map, the user is "prompted to indicate whether he wants the map maker to create a map in real time for that web site." See also, Astiz, col. 11, lines 26-58, similarly teaching mapping in real time.

Astiz specifically teaches to parse and map the entire web sites requested, and

to display the results. There is no limitation on the parsing and mapping functions. The mapping stop when the cite "requires a user interaction."

It is further noted that access to each of the hyperlinks that are parsed and mapped would have been dependent on "user interaction" if the page on which the hyperlink appeared were being viewed by a user. In other words, if a user was browsing a web site, without use of the mapping invention, each hyperlink would have to be clicked on separately to access the linked data. By use of the invention of Astiz, the clicking on the hyperlinks is automatic during the mapping process and the results are displayed in the map. See, Astiz, col. 7, line 9 through col. 13, line 31, teaching the map maker. See also, claim 25, teaching that the map outline is an unrestricted outline of the hierarchy of files, further indicating no limitations.

Astiz teaches limiting parsing levels. See, Astiz, figure 10, and col. 12, lines 15-36, teaching limiting the parsing levels to set boundary parameters. Astiz does not expressly teach the *boundary parameters as including limiting the automatic parsing to a maximum number of discovery levels or that the boundary parameters as including limiting the automatic parsing to a specified maximum number of links.*

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a maximum number of discovery levels as a limit for automatically parsing a web site for subordinate web sites or to use a set number of links as a limit for automatically parsing a web site for subordinate web sites for the obvious and beneficial purpose of limiting the scope of the web search. With web sites linking to web sites linking to web sites, and on and on, there would be an almost endless map of sites.

This would tax the hardware limits, time to search, and the bandwidth available to everyone. Therefore, it would be obvious and beneficial to limit the scope of the search by the number of links.)

Regarding **dependent claim 2, as amended**, Astiz teaches:

The method of claim 1, further comprising:

in response to receiving a selection of the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing any links subordinate to the selected first web link;

wherein receiving a selection of a second web link includes receiving an indication of a user browsing to a web link level subordinate to a level of the selected first web link; and

receiving a selection of the second web link from the web link level subordinate to the level of the selected first web link.

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating subordinate web sites.)

Regarding **dependent claim 3**, Astiz teaches:

The method of claim 1, whereby receiving the selected web site includes receiving an address for the selected web site at a web diagramming application.

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(See, Astiz, figures 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching receiving an address for a selected web site at a web diagramming (mapping) application.)

Regarding **dependent claim 8, as amended**, Astiz teaches:

The method of claim 7, whereby receiving a selection of a first web link from the any parsed web links as a starting point for browsing a path through the web site includes receiving a selection of a first web link from the displayed web diagram.

(See, Astiz, col. 10, line 50 through col. 11, line 3, teaching access to any identified web page directly from the displayed map.)

Regarding **dependent claim 9, as amended**, Astiz teaches:

The method of claim 8, further comprising automatically finding and mapping web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure.

(See, Astiz, col. 12, lines 15-36, teaching automatic mapping of subordinate (child) web page.)

Regarding **claims 18-21**:

Claims 18-21 incorporate substantially similar subject matter as claimed in claims 1, 2, 7, and 8 respectively, and are rejected along the same rationale.

Regarding **claim 22**, Astiz teaches:

The computer-readable medium of claim 21, further comprising automatically finding and mapping to the web diagram data structure web links not requiring user interaction found in response to browsing to the second web link from the displayed web page.

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Regarding **claim 23**, Astiz teaches:

prior to automatically finding and mapping to the web diagram data structure web links found in response to browsing to the second web link from the displayed web page, further comprising receiving a selection of an expanded mapping wherein automatically finding and mapping is in response to receiving a selection of an expanded mapping.

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Regarding **claim 24**, Astiz teaches:

The method of claim 23, whereby creating and displaying a web diagram from the web diagram data structure further comprises showing a diagram node

for each of the web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure.

(See, Astiz, figure 6, and col. 11, line 59 through col. 13, line 12, teaching displaying the web diagram as specified.)

7. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

8. Applicants' arguments filed 10/29/08 have been fully considered but are not persuasive.

On pages 9-12 of the Remarks, Applicant argues the current invention operates on the client; whereas, Astiz's map viewer is located on the user PC while the map maker is located on the host. Applicant argues the map making and modifications in Astiz take place on the host and therefore, the claims distinguish over the prior art.

Examiner disagrees because Astiz teaches both the map making and modification can occur on the client or on a single PC/workstation.

Astiz teaches in column 7, lines 23-24 and 65-67 through column 8, lines 1-5 that

the map maker could be implemented at a workstation or PC separate from the user in one embodiment (as argued by Applicant with respect to figure 5 of Astiz). However, **Astiz also teaches that both the map maker and the viewer are used in a single work station/PC (i.e. the web site diagramming application of the client).** See column 7, lines 23-24 and column 8.

On pages 12-13, Applicant argues Astiz fails to teach an expand target or button and does not provide any explanation for the expand button on figure 6.

Examiner disagrees.

Astiz further teaches in the course of browsing, a user can select a web site for viewing from a diagramming application or map. When the user selects a particular page entry, the browser uses the URL corresponding to the selected page entry and retrieves it and displays it. See column 11, lines 26-50 and column 12, last paragraph through column 13, lines 1-5. Regarding the web site diagramming application including an expand target selector, figure 6 of Astiz shows a navigational map with an expand target actuator. In figure 6, if the "expand actuator" is selected, the link corresponding to a page is opened or expanded. Astiz teaches a feature of the present invention is exclusion of certain types of information including certain branches, certain types of files, redundant links, directories that should not be released to the general public, and certain links which require external viewers or might clutter up the map. Therefore, the expand actuator allows certain branches or files within the hierarchy to be collapsed or expanded which meets the limitation, **when the expand target selector is selected, mapping the second web link and links subordinate to the**

web diagram data structure of the web site diagramming application of the client;

In Astiz when the expand actuator is not selected for a web link, the subordinate links are not shown which meets the limitation, ***when the expand target selector is not selected, mapping the second web link without links subordinate to the second web link to the web diagram data structure of the web site diagramming application of the client.*** See figure 6 and column 10, lines 1-14.

In view of the comments above, the rejection is maintained.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHNA S. DESAI whose telephone number is (571)272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free).

/Rachna S Desai/
Primary Examiner, Art Unit 2176
12/29/08